

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

JASON M. WHITE,

Plaintiff,

v.

L. BARNES, et al.,

Defendants.

Case No. 1:24-cv-723

HON. JANE M. BECKERING

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ORDER

Plaintiff, a prisoner in the custody of the Michigan Department of Corrections, filed a civil rights complaint under 42 U.S.C. § 1983. Defendant Rhodes filed a Motion for Summary Judgment Based on Exhaustion (ECF No. 17). The matter was referred to the Magistrate Judge, who issued a Report and Recommendation (ECF No. 22) on March 24, 2025, recommending that this Court grant Defendant's motion, dismiss without prejudice Plaintiff's Eighth Amendment and state-law claims against Defendant Rhodes, and terminate this case. The Report and Recommendation was duly served on the remaining parties. No objections have been filed. *See* 28 U.S.C. § 636(b)(1). Accordingly:

IT IS HEREBY ORDERED that the Report and Recommendation (ECF No. 22) is APPROVED and ADOPTED as the Opinion of the Court.

IT IS FURTHER ORDERED that Defendant Rhodes' Motion for Summary Judgment Based on Exhaustion (ECF No. 17) is GRANTED.

IT IS FURTHER ORDERED that Plaintiff's Eighth Amendment and state-law claims against Defendant Rhodes are DISMISSED without prejudice.

IT IS FURTHER ORDERED that this Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that an appeal of this decision would not be taken in good faith because Plaintiff failed to file any objections to the Report and Recommendation. *See McGore v. Wigglesworth*, 114 F.3d 601, 610-11 (6th Cir. 1997), overruled on other grounds by *Jones v. Bock*, 549 U.S. 199, 206, 211-12 (2007).

A Judgment will be entered consistent with this Order.

Dated: April 22, 2025

/s/ Jane M. Beckering
JANE M. BECKERING
United States District Judge